

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-325 Erie
)	
VICTORY ENERGY OPERATIONS)	Judge Sean J. McLaughlin
LLC,)	
)	
Defendant)	

ORDER

AND NOW, this _____ day of May, 2007, the *Defendant's Motion in Limine to Bar Plaintiff from Referring to Design Features in Public Domain as Trade Secrets* is granted and this Court hereby orders that Plaintiff shall not refer to any of the following categories of information or data as trade secrets:

- a. Information or data that it provided to VEO prior to or outside of the License Agreement without any requirement of confidentiality;
- b. Information or data that it provided to customers or other third parties without any requirement that such information or data be kept confidential;
- c. Information and data, including boiler dimensions, that is capable of being derived by observation or reverse engineering of products sold in the marketplace; and
- d. Information or data that is otherwise available in the public domain including, but not limited to, information included in ASME, AWS or other industry standards.

Sean J. McLaughlin
United States District Judge